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REMARKS

The above-identified application is United States application serial number 09/721,012 filed on November 21, 2000. Claims 1-34 and 50-62 are pending. Claims 35-49 are canceled. Claims 1-34 and 50-62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wynblatt *et al.* (U.S. Pat. No. 6,018,710) (hereinafter "Wynblatt") in view of DeBonet *et al.* (U.S. Pat. No. 6,600,898) (hereinafter "DeBonet").

Rejection of Claims Under 35 USC §103

Claim 1 includes "an adaptive personalization module operable to monitor the user input during one or more previous sessions with the browser system, and to determine the order for presenting the requested information based on previous user input".

Claim 18 includes "an adaptive personalization module operable to monitor the user input during one or more previous sessions with the browser device, and to determine the order for presenting the requested information based on previous user input".

Claim 50 includes "adaptively determining the order for presenting the responsive information based on user input during one or more previous sessions with the mobile audio device".

Applicant respectfully traverses the rejection of the features in Claims 1, 18, and 50 under 35 U.S.C. § 103 over Wynblatt in view of De Bonet. The Examiner admits that Wynblatt does not disclose an adaptive personalization module operable to...determine the order for presenting the requested information based on previous user input, but then cites De Bonet as teaching these features. The cited portion of De Bonet discloses maintaining a history of the audio elements provided to the remote user based on a history of audio elements previously provided to the user. (De Bonet, col. 3, lines 29-34). Note the audio elements are not selected based on user input during previous browser sessions as in Claim 1, 18, and 50, but rather on the elements previously presented. Another cited portion of DeBonet discloses that audio element types are sent to a user to achieve the frequency specified in the particular user's profile. (De Bonet, col. 9, lines 36-67). Again, the element types are not based on user input during previous browser sessions, but rather based on a user-specified frequency for that

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type of element. Another cited portion of De Bonet discloses a radio programmer (RPC) that optimizes the radio program to have all the content types with the appropriate frequency, and to resolve conflicts when two types of content are supposed to occur at the same time. (De Bonet, col. 10, lines 1-8). De Bonet further discloses an Audio Element Selection Function (AESF) that selects audio elements to send to the user based on the user's profile and past listening history. (De Bonet, col. 10, lines 9-19). As described by De Bonet, the AESF avoids repeating the same or similar audio elements too closely in time, but De Bonet does not teach or suggest that the user's input during previous sessions is considered in determining the order in which the audio elements are sent to the user.

De Bonet further teaches that a Dynamically Adaptive User Profile (DAUP) may include information relating to a user's preferences, such as particular songs, types of news, or particular sports teams. The information can change as the user reveals his or her preferences, such as by dynamically rating songs or other content after it is presented. (De Bonet, col. 11, lines 41-57). Dynamically updating a user's preferences profile and using it to determine which audio elements to play is not the same as determining the order in which to play the audio elements, however. De Bonet further teaches achieving a balance between different content types, as specified by the user's set of frequencies for different content types, but not the order in which the content is played. The content may be played in any random order as long as it meets the frequency specified by the user. (De Bonet col. 12, lines 9-67). Claims 1, 18, and 50 are therefore distinguishable from Wynblatt and De Bonet, both alone and in combination, for at least the foregoing reasons. Claims 2-17, 19-34, and 51-62 depend from Claims 1, 18, and 50, respectively, and include additional features that further distinguish them from the cited references.

In particular, with regard to claims 5, 6, 9, 10, 23-26, and 55-58, the claims were rejected based on the same cited portion of De Bonet. One cited portion of De Bonet discloses maintaining a history of the audio elements provided to the remote user based on a history of audio elements previously provided to the user. (De Bonet, col. 3, lines 29-34). Another cited portion of De Bonet discloses that audio element types are sent to a user to achieve the frequency specified in the particular user's profile. (De Bonet, col. 9, lines 36-67). The term "frequency" in De Bonet refers to allowing the user to control the balance between different content types that are played. (De Bonet col. 12 lines 9-25). Another cited portion

of De Bonet discloses a radio programmer (RPC) that optimizes the radio program to have all the content types with the appropriate frequency, and to resolve conflicts when two types of content are supposed to occur at the same time. (De Bonet, col. 10, lines 1-8). A further cited section of De Bonet discloses an Audio Element Selection Function (AESF) that selects audio elements to send to the user based on the user's profile and past listening history. (De Bonet, col. 10, lines 9-19). Another cited portion of De Bonet teaches that a Dynamically Adaptive User Profile (DAUP) may include information relating to a user's preferences, such as particular songs, types of news, or particular sports teams. The information can change as the user reveals his or her preferences, such as by dynamically rating songs or other content after it is presented. (De Bonet, col. 11, lines 41-57). A further cited portion of De Bonet teaches achieving a balance between different content types, as specified by the user's set of frequencies, for different content types. (De Bonet col. 12, lines 9-67.)

None the above-cited sections of De Bonet teach or suggest updating a user's model based on whether the user requested more detail on the requested information as recited in Claims 5, 23, and 55.

None the above-cited sections of De Bonet teach or suggest generating a representation of each piece of content in the requested information, and the order of presentation of the requested information is determined based on the user's model and the representation as recited in Claims 6, 24, and 56.

None the above-cited sections of De Bonet teach or suggest converting the responsive information from a text format to an audio format, and the representation includes the frequency with which each word occurs in each piece of content as recited in Claims 9, 25, and 57.

None the above-cited sections of De Bonet teach or suggest converting the responsive information from an audio format to a text format, and the representation includes the frequency with which each word occurs in each piece of content as recited in Claims 10, 27, and 58.

Claims 5, 6, 9, 10, 23-26, and 55-58 are allowable over the cited references for at least these additional reasons.

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For at least the foregoing reasons, allowance of Claims 1-34, and 50-62 is respectfully requested.

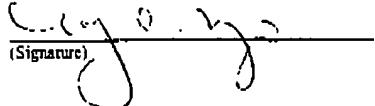
New Claims

Claims 63, 64, and 65 depend from Claims 1, 18, and 50, respectively, and have been added to capture subject matter supplied in the specification. No new matter has been added. Examination Claims 63-65 is respectfully requested.

CONCLUSION

Applicant believes Claims 1-34 and 50-62 are in form for allowance and a notice to that effect is solicited. Examination of new Claims 63-65 is requested. In the event it would facilitate prosecution of this application, the Examiner is invited to telephone the undersigned at (949) 350-7301.

I hereby certify that this correspondence is being facsimile transmitted to the USPTO, Central Number at (703) 273-8300 on the date shown below:


(Signature)

Mary C. Nye
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October 5, 2006
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